

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KAISER MARTIN GROUP, INC.,  
formerly known as  
KAISER CONSTRUCTION CO., INC.,

*Plaintiff,*

v.

HAAS DOOR CO.,

*Defendant.*

CIVIL ACTION  
NO. 19-1823

**ORDER**

**AND NOW**, this 2nd day of July, 2019, upon consideration of Defendant's Motion to Dismiss (ECF No. 4), Plaintiff's Response (ECF Nos. 7–8) and Defendant's Reply (ECF No. 9), it is hereby **ORDERED** that the Motion is **GRANTED**. Counts II and III of the Complaint are **DISMISSED with prejudice**.

Counts I, IV and VI of the Complaint are **DISMISSED without prejudice**. Plaintiff may amend the Complaint, consistent with the Court's Memorandum, on or before **July 22, 2019**. Should Plaintiff fail to do so, the Complaint will be dismissed with prejudice and the Clerk directed to close the case.

BY THE COURT:

**/s/ Gerald J. Pappert**  
GERALD J. PAPPERT, J.